

# HOUSE BILL REPORT

## HB 2991

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### As Amended by the Senate

**Title:** An act relating to a record check of a metropolitan park district's job applicants, volunteers, and independent contractors.

**Brief Description:** Concerning background checks of metropolitan park district employees.

**Sponsors:** By Representatives Darneille, Walsh, Springer and Simpson.

#### **Brief History:**

##### **Committee Activity:**

Local Government: 1/23/06, 1/30/06 [DP].

##### **Floor Activity:**

Passed House: 2/8/06, 97-1.

Senate Amended.

Passed Senate: 3/3/06, 47-0.

#### **Brief Summary of Bill**

- Requires the Board of Park Commissioners to adopt rules for a criminal history record information search of certain metropolitan park district employees.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 7 members: Representatives Simpson, Chair; Clibborn, Vice Chair; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan, Takko and Woods.

**Staff:** Stephanie Toby (786-7106).

#### **Background:**

A metropolitan park district manages, controls, improves, maintains, and acquires parks, parkways, boulevards, and recreational facilities. The Board of Park Commissioners consists of five members who have a variety of powers to manage the district.

In 1987, the Legislature authorized the Washington State Patrol Criminal Identification System (WSPCIS) to provide background information on prospective employees and volunteers to businesses and organizations that provide services to children or developmentally disabled persons.

Criminal history record information includes information on arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising from those charges, including guilty verdicts, acquittals, and sentences.

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### **Summary of Bill:**

The Board of Park Commissioners is required to adopt rules for a criminal history record information search of the following:

- metropolitan park district (district) job applicants;
- volunteers; and
- independent contractors who will either have access to children or vulnerable adults while unsupervised, or who will be responsible for monetary transactions.

The background checks will be processed through the WSPCIS, and may include the submission of fingerprints to the U.S. Federal Bureau of Investigation for a national check. Current permanent employees of the district are exempt from these requirements.

The term "park policemen" is changed to "park police."

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### **EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment states that metropolitan park districts must establish record check requirements by resolution. Provisions that regulate the Washington State Patrol background checks are cross-referenced. The amendment requires the fingerprint check and stipulates that it must use a complete Washington state criminal identification card. The park district is required to provide a copy of the record report to the employee, volunteer, or independent contractor (employee). The park district may determine that it is necessary to employ someone on a conditional basis while the investigation is being conducted, may decide to waive the background check if the prospective employee has had a record check within the past year, and may require that the prospective employee pay for the record check.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** It is important to protect vulnerable adults and children. House Bill 1313 mirrors this bill by allowing state parks to do background checks, and it passed the House of Representatives and Senate without any no votes. Metropolitan Park Districts would like the same authority. The Washington State Patrol and Federal Bureau of Investigation were consulted and said the bill met their concerns.

**Testimony Against:** None.

**Persons Testifying:** T.K. Bentley, Metro Parks Tacoma.

**Persons Signed In To Testify But Not Testifying:** None.